Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
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DELETE, DELETE, DELETE	)	GN Docket No. 25-133
	)	

COMMENTS OF
WTA – ADVOCATES FOR RURAL BROADBAND

WTA – Advocates for Rural Broadband ("WTA") is submitting comments in response to the Commission's Public Notice initiating this proceeding seeking to identify regulatory underbrush that needs "pruning."[1] WTA is a national trade association representing approximately 400 rural local telecommunications carriers. The typical WTA member company serves fewer than 5,000 customers per service area and has fewer than 50 employees. WTA's members provide voice, broadband and other services to some of the most remote, rugged, sparsely populated, and expensive-to-serve areas of the United States. Given the need to operate most efficiently in this challenging environment, our members are very conscious of and disproportionately affected by burdensome, redundant and/or unnecessary regulations. WTA thus welcomes the Commission's fresh and comprehensive review of its regulations.

One area where the Commission can eliminate unnecessary regulatory burdens is through better coordination to eliminate duplicative and redundant filings to both the Commission and USAC. For example, our members file information with regard to locations they are serving

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[1] *DELETE, DELETE, DELETE.*, Public Notice, DA 25-219 (rel. March 12, 2025) (hereafter cited as "*Public Notice*").

both as part of the Broadband Data Collection ("BDC"), as well as to the High-Cost Universal Broadband ("HUBB") portal. While the Commission is moving towards making the BDC and HUBB systems more consistent by at least having both systems define the locations based on Fabric IDs (rather than the current use of latitude/longitude for HUBB locations and Fabric IDs for the BDC),[2] there is still duplicative effort for our members in having to file information regarding locations and the served locations into two separate systems. Along similar lines, our members are required to file the Form 555 (Annual Lifeline Eligible Telecommunications Carrier Certification Form) with both the FCC and with USAC. The Commission should eliminate such duplicative filing obligations.[3] More broadly, the Commission should consider whether to utilize a single portal managed by USAC so that carriers need not keep track of which filings go to which portal.[4] In a similar vein, to reduce the regulatory filing burdens the Commission should also coordinate with other agencies that also deal with broadband deployment or permitting (*e.g.,* the Rural Utilities Service, the National Telecommunications and Information Administration and the Department of the Interior) so that ideally a service provider can enter information once into a common portal shared by the agencies, rather than requiring service providers to duplicate their efforts.

Another area where the Commission's filing requirements are burdensome has to do with requiring compliance certifications to also include submitting detailed information to accompany

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[2] *Connect America Fund*, DA 25-32, released January 10, 2025.

[3] Another example of a redundant filing obligation is Form 507, which requires carriers to mail line count information to USAC. But that information is also included in the data that is submitted to the FCC through the Broadband Data Collection System portal.

[4] It would also be very useful if that single portal also incorporated a "dashboard" so that small carriers would be able easily to tell what filings are due and when they must be filed.

the certification. The Form 481 must be filed annually by each eligible telecommunications carrier receiving High-Cost program and/or Lifeline support to certify compliance with various obligations and also requires the service provider to submit information about a carrier's holding company, operating companies, affiliates and branding designations (doing-business-as or DBA); ability to function in emergency situations; terrestrial backhaul; Tribal lands engagement; and comparability of voice and broadband service rates in rural and urban areas. WTA acknowledges the need for and benefits of the annual certifications.[5] But inputting the detailed accompanying information is time-consuming, and WTA doubts that anyone at the Commission or USAC actually reviews or regularly uses that information. It would make much more sense for the Commission to have the service providers simply certify compliance annually, while also requiring that the service providers retain the relevant information for a fixed period of time so that in the unlikely event that a compliance issue arises, the Commission (or USAC) could then request the necessary supporting information.

Another area where the Commission could reduce the burden on small service providers like WTA's members would be to eliminate an annual filing requirement when the information typically does not change much from year-to-year. These could include the FCC Form 502 (North American Numbering Plan, Numbering Resource Utilization/Forecast Report); the FCC Sections 255/716 certification of compliance with disabilities access obligations (filed in the Recordkeeping Compliance Certification and Contact Information Registry); and the FCC Form

[5] However, the Commission should also use this opportunity to eliminate redundant certifications. For example, under Section 64.1900 of the Commission's rules, each non-dominant provider of detariffed interstate interexchange service must certify that it provides such service in compliance with its geographic rate average and rate integration obligation, and must submit that certification to Chief of the Pricing Policy Division. However, this duplicates a similar certification on the Form 481.

555. It would be more efficient if service providers, after filing the required certifications, would only have to update or revise those certifications within a certain window of time (*e.g.*, 30, 60, or 90 days) after there is a change that would necessitate a new or updated certification. Similarly, where a carrier has met its deployment obligations under one of the Commission's broadband subsidy programs, the Commission can eliminate the need to continue to make HUBB filings mandatory, particularly because in any event the carrier will continue to make BDC filings (and will continue to make performance testing submissions through the Performance Measures Module maintained by USAC).

WTA also submits that the Commission could significantly reduce burdens on its members by reducing the quarterly Form 499 filings with forecasted revenue information into an annual or semi-annual filing requirement, with a concomitant change to an annual or semi-annual calculation of the USF contribution factor, rather than the current prescription of quarterly contribution factors. There would still be the requirement to submit an annual filing on actual results that would serve to "true up" the service provider's USF contribution obligations, but both the Commission (along with USAC) and the service providers would expend less time and effort dealing with traffic forecasts.

The *Public Notice* also seeks comments on suggested changes reflecting "changes in the broader regulatory context."[6] WTA would place into this category FCC Form 395, which collects information on minority categorization of employees, as well as the broad application of digital discrimination to include disparate impact, regardless of intent.[7] Given the new

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[6] *Public Notice* at p. 4.

[7] *Implementing the Infrastructure Investment and Jobs Act: Prevention and Elimination of Digital Discrimination*, 38 FCC Rcd 11440 (2023).

Administration's policies with regard to Diversity, Equity and Inclusion programs, there would not seem to be any currently valid reasons to continue to collect the Form 395 information or to continue to apply an overly expansive definition of discrimination.

Another area where regulatory reform could reduce the burden on small telephone and broadband service providers is the separations process, which has been operating pursuant to a freeze since 2001 -- which was recently extended for another six years.[8] The Commission, in conjunction with the Joint Board, should adopt a long-term solution instead of "kicking the can down the road" by simply renewing the freeze every six years. The Federal-State Joint Board is seeking comments on separations reform,[9] and the Commission should use that proceeding to update those rules to account for modern technology and eliminate references to obsolete equipment such as operator systems equipment, Information Origination/Termination (IOT) Equipment and Rural Telephone Bank stock.

Finally, the *Public Notice* seeks comment on any rules that were based on a past FCC interpretation of statutory language that should be revisited in light of *Loper Bright*, which eliminated *Chevron* deference.[10] WTA would put into that category the Commission's recent Declaratory Ruling in which it held that:

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[8] *Jurisdictional Separations and Referral to the Federal-State Joint Board*, CC Docket No. 80-286, Report and Order, FCC 24-118, (released Nov. 13, 2024) (*2024 Separations Freeze Extension and Referral Order*).

[9] *Public Notice*, Federal-State Joint Board on Separations Seeks Comment on Part 36 Separations Rules in Response io Commission Referrals, FCC 25J-1, released February 14, 2025, 90 FR 13447 (March 24, 2025).

[10] *Public Notice* at pp. 4-5.

> In this Declaratory Ruling, we conclude that section 105 of Communications Assistance for Law Enforcement Act ("CALEA") affirmatively requires telecommunications carriers to secure their networks from unlawful access or interception of communications.[11]

While that decision also incorporated a Notice of Proposed Rulemaking that would establish rules (which have not yet been adopted), the *Declaratory Ruling* suggested that service providers would still be subject presently to some amorphous cybersecurity obligations.[12] WTA believes that the best interpretation of the CALEA language is that it is intended to obligate service providers to ensure that law enforcement officials can access information only through lawful means (*e.g.,* a warrant), not that CALEA provides the Commission with authority to adopt wide-ranging cybersecurity rules or otherwise imposes general cybersecurity obligations.

As the Commission undertakes its comprehensive review of unnecessary or overly burdensome rules and regulatory requirements, WTA urges the Commission to consider eliminating or reducing the regulatory requirements identified above.

Respectfully submitted,

WTA – ADVOCATES FOR RURAL BROADBAND

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[11] *Protecting the Nation's Communications Systems from Cybersecurity Threats*, Declaratory Ruling and Notice of Proposed Rulemaking, FCC 25-9, released: January 16, 2025 (hereafter cites as "*CALEA Declaratory Ruling*").

[12] *CALEA Declaratory Ruling* at ¶¶ 14-15.